

(Approved)
MINUTES OF THE
HOUSE BUSINESS AND LABOR STANDING COMMITTEE
Monday , February 12, 2018 • 2:00 p.m. • 445 State Capitol

Members Present:

Rep. James A. Dunnigan, Chair
Rep. Marc K. Roberts, Vice Chair
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Timothy D. Hawkes
Rep. Michael K. McKell
Rep. Jeremy A. Peterson
Rep. Val K. Potter
Rep. Mike Schultz

Rep. R. Curt Webb
Rep. Mark A. Wheatley
Rep. Brad R. Wilson

Members Absent:

Rep. John Knotwell

Staff Present:

Mr. Adam J. Sweet, Policy Analyst
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Acting Chair Roberts called the meeting to order at 2:06 p.m.

Rep. Dunnigan assumed the chair.

MOTION: Rep. Froerer moved to approve the minutes of the February 8, 2018, meeting. The motion passed with a vote of 8 - 0 - 5 .

Yeas-8

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-5

Rep. J. Knotwell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

1 . H.B. 323 Massage Therapy Practice Act Amendments (Roberts, M.)

Vice Chair Roberts explained the bill assisted by Ms. Andrea Jones, Bowenwork practitioner.

Ms. Nichole Soholt, student, Bowenwork Academy, spoke for the bill.

MOTION: Rep. Duckworth moved to replace H.B. 323 with 1st Substitute H.B. 323. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. G. Froerer
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb

Rep. B. Wilson

MOTION: Rep. Duckworth moved to pass 1st Substitute H.B. 323 out favorably. The motion passed with a vote of 8 - 0 - 5 .

Yeas-8

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-5

Rep. G. Froerer
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. B. Wilson

Vice Chair Roberts resumed the chair.

2 . H.B. 173 Occupational Licensing Requirement Amendments (Maloy, A.C.)

Rep. A. Cory Maloy explained the bill.

Ms. Elaine Augustine, citizen, spoke for the bill.

Mr. Brad Stevens, Independent Electrical Contractors Association, spoke against the bill.

MOTION: Rep. Schultz moved to replace H.B. 173 with 2nd Substitute H.B. 173. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. McKell
Rep. B. Wilson

MOTION: Rep. Froerer moved to pass 2nd Substitute H.B. 173 out favorably. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. McKell
Rep. B. Wilson

3 . H.B. 191 Carbon Monoxide Detector Repeal (*Wheatley, M.*)

Rep. Wheatley explained the bill assisted by Ms. Bethany Taylor, citizen, and Chief Mike Mathieu, Ogden City Fire Department.

Mr. Gary Edwards, Salt Lake County Health Department, offered a point of clarification.

Mr. Kirk Cullimore, Utah Apartment Association, spoke against the bill.

MOTION: Rep. Peterson moved to hold H.B. 191. The motion passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley
Rep. B. Wilson

Nays-0

Absent-3

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell

4 . H.B. 250 Building Permit and Impact Fees Amendments (*Schultz, M.*)

Rep. Schultz explained the bill assisted by Mr. Mike Ostermiller, Utah Association of Realtors.

Mr. Taz Biesinger, Utah Home Builders Association, spoke for the bill.

Mr. John Hill, Rocky Mountain Gas Association, spoke against the bill.

Mr. Brent Bateman, State Property Rights Ombudsman, spoke to the bill.

Mr. Brent Ursenbach, citizen, spoke against the bill.

Ms. Rachel Otto, Utah League of Cities and Towns, spoke for the bill.

Mr. David Hill, Utah Plumbing and Heating Contractors Association, spoke against the bill.

Mr. Tom Peterson, Utah Association of Building Officials, spoke for the bill.

Mr. Brad Stephens, Independent Electrical Contractors of Utah, spoke against the bill.

MOTION: Rep. Webb moved to amend H.B. 250 with Amendment #3. The motion passed with a vote of 9 - 0 - 4 .

Amendment 3
H.B. 250

1 Page 7, Lines 197 through 199

197 (ii) use any money transmitted in accordance with Subsection 15A-1-209(5) to pay for
198 any expenses required to provide the education and training described in Subsection (1)(i)(i).
199 including grants to a land use training organization **that:**

(A) the Land Use and Eminent Domain Advisory Board, created in Section 13-43-202, selects and proposes;
and
(B) the property rights ombudsman and the executive director of the Department of Commerce jointly
approve.

2 Page 9, Lines 272 through 273

272 (ii) transmit { ~~80%~~ } 85% of the amount collected to the division to be used by the division in
273 accordance with Subsection (5)(c).

3 Page 10, Lines 276 through 277

276 (c) (i) The division shall use { ~~20%~~ } 30% of the money received under [this] Subsection
277 (5)(a)(ii) to provide education[:-(i)] to building inspectors regarding the codes and code

4 Page 10, Lines 283 through 284

283 (ii) The division shall transmit ~~{-80%-}~~ 70% of the money received under Subsection (5)(a)(ii)

284 to the Office of the Property Rights Ombudsman created in Title 13, Chapter 43, Property

Yeas-9

Rep. J. Dunnigan
Rep. G. Froerer
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley
Rep. B. Wilson

Nays-0

Absent-4

Rep. S. Duckworth
Rep. T. Hawkes
Rep. J. Knotwell
Rep. M. McKell

MOTION: Rep. Froerer moved to pass H.B. 250 out favorably as amended. The motion passed with a vote of 8 - 2 - 3 .

Yeas-8

Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

Nays-2

Rep. J. Dunnigan
Rep. M. Wheatley

Absent-3

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell

5 . H.B. 288 Workers' Compensation Claims Amendments (Ivory, K.)

Rep. Ken Ivory explained the bill assisted by Mr. Jaceson Maughan, Commissioner, Labor Commission.

Mr. Dennis Lloyd, Senior Vice President, WCF Mutual Insurance Company, spoke for the bill.

MOTION: Rep. Peterson moved to replace H.B. 288 with 1st Substitute H.B. 288. The motion passed with a vote of 9 - 0 - 4 .

Yeas-9

Rep. J. Dunnigan
Rep. G. Froerer

Nays-0

Absent-4

Rep. S. Duckworth
Rep. J. Knotwell

House Business and Labor Standing Committee

February 12, 2018

Page 6

Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Rep. M. McKell
Rep. B. Wilson

MOTION: Rep. Schultz moved to amend 1st Substitute H.B. 288 with Amendment #1. The motion passed with a vote of 9 - 0 - 4 .

Amendment 1
1st Sub. H.B. 288

1 Page 2, Line 41

41 division may impose a fine of up to {~~\$10,000~~} \$5,000 against an employer for each violation of

Yeas-9

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. B. Wilson

MOTION: Rep. Peterson moved to pass 1st Substitute H.B. 288 out favorably as amended. The motion passed with a vote of 9 - 0 - 4 .

Yeas-9

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. B. Wilson

MOTION: Rep. Schultz moved to place 1st Substitute H.B. 288 on the Consent Calendar. The motion passed with a vote of 9 - 0 - 4 .

Yeas-9

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. M. Schultz
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. B. Wilson

6 . 1st Sub. S.B. 40 Workers' Compensation Dependent Benefit Amendments (Mayne, K.)

Sen. Karen Mayne explained the bill assisted by Mr. Lloyd.

Mr. Chris Hill, Labor Commission, spoke for the bill.

Mr. David Head, Utah Association of Justice, spoke for the bill.

MOTION: Rep. Wheatley moved to pass 1st Substitute S.B. 40 out favorably. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

7 . S.B. 92 Workers' Compensation Attorney Fees Amendments (Mayne, K.)

Sen. Mayne explained the bill assisted by Mr. Maughan and Mr. Lloyd.

Mr. Head spoke for the bill

MOTION: Rep. Wheatley moved to pass S.B. 92 out favorably. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

8 . H.B. 133 Employment Amendments (Hall, C.)

Rep. Craig Hall explained the bill.

MOTION: Rep. Hawkes moved to replace H.B. 133 with 1st Substitute H.B. 133. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

MOTION: Rep. Froerer moved to pass 1st Substitute H.B. 133 out favorably. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

MOTION: Rep. Potter moved to adjourn. The motion passed with a vote of 6 - 0 - 7 .

Yeas-6

Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. V. Potter
Rep. M. Roberts
Rep. M. Wheatley

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

Acting Chair Roberts adjourned the meeting at 4:03 p.m.